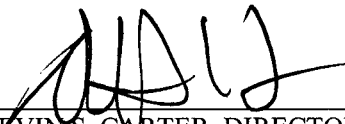


NOVEMBER 24, 2008

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON NOVEMBER 24, 2008, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, DEVELOPMENT, FEE WAIVER, AND TRUST ACCOUNTING BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 6:00 P.M. ON NOVEMBER 24, 2008.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 2; SURFACE ACTIONS AS LISTED ON PAGES 3 TO 21; DEVELOPMENT ACTIONS AS LISTED ON PAGES 22 TO 23; ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 23; AND TRUST ACCOUNTING ACTIONS AS LISTED ON PAGES 24 TO 25.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND ARE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 6:00 P.M. ON MONDAY, DECEMBER 8, 2008. APPEALS NOT FILED BY THAT TIME WILL BE CONSIDERED UNACCEPTABLE AND THE MATTERS WILL BE UNAPPEALABLE.

  
\_\_\_\_\_  
KEVIN S. CARTER, DIRECTOR  
SCHOOL AND INSTITUTIONAL  
TRUST LANDS ADMINISTRATION  
\_\_\_\_\_  
LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209



**DEED OF TRUST MORTGAGE, LINE OF CREDIT MORTGAGE, ASSIGNMENT, SECURITY AGREEMENT, FIXTURE FILING AND FINANCING STATEMENT FROM CROWNROCK, L.P. TO PHILLIP LEAR, TRUSTEE, AND UNION BANK OF CALIFORNIA, N.A., AGENT - ML 47966 (SCH), ML 48284 (SCH), ML 48414 (SCH), ML 48562 (SCH: 640.00; NS: 320.00) ML 50677 (SCH), ML 50679 (SCH) ML 50680 (SCH), AND ML 50987 (SCH) - OIL, GAS AND HYDROCARBON**

This office is in receipt of a Deed of Trust, Mortgage, Line of Credit Mortgage, Assignment, Security Agreement, Fixture Filing and Financing Statement from Crownrock, L.P., to Phillip Lear, Trustee, and Union Bank of California, N.A., Agent, C/O Thompson & Knight LLP, 1722 Routh Street, Suite 1500, Dallas, TX 75201-2533, dated October 16, 2008, covering the above-numbered leases.

*This assignment is submitted by Ms. Garrison, for record-keeping purposes only.*

**CORRECTION OF DIRECTOR'S MINUTES OF NOVEMBER 10, 2008 - ML 51514 (SCH) - OIL, GAS, AND ASSOCIATED HYDROCARBONS LEASE**

The Director, on November 10, 2008, approved the above-numbered lease to Turner Petroleum Land Services, Inc. The description was listed in error. The description listed below is how this lease was approved. (Bolded, italicized, and underlined are the affected portions.)

<u>T18S, R14E, SLB&amp;M.</u>	Emery County
SEC. 2: LOTS 1(42.54), 2(42.49), 3(42.44), 4(40.48), 5(38.72), 6(39.24), 7(39.75), S½NE¼, SE¼NW¼, <u>W½SW¼</u> , SE¼ [ALL]	<b><u>685.66 acres</u></b>
SEC. 14: <u>NE¼SE¼</u>	

The correct description is listed below: (Bolded, italicized, and underlined are the affected portions.)

<u>T18S, R14E, SLB&amp;M.</u>	Emery County
SEC. 2: LOTS 1(42.54), 2(42.49), 3(42.44), 4(40.48), 5(38.72), 6(39.24), 7(39.75), S½NE¼, SE¼NW¼, <u>E½SW¼</u> , SE¼ [ALL]	<b><u>725.66 acres</u></b>
SEC. 14: <u>N½SE¼</u>	

Upon recommendation of Ms. Garrison the Director approved the above-listed correction.

**ACCEPTANCE OF SURETY - OIL, GAS AND HYDROCARBON LEASE - ML 45681 (SM)**

EOG Resources, Inc., 600 17<sup>th</sup> Street, Suite 1000N, Denver, CO 80202, has submitted a Corporate Surety Bond in the amount of \$1000. This bond is submitted as surety to cover surface operations associated with State of Utah, Oil, Gas and Hydrocarbon Lease ML 45681. The bond is issued by Safeco Insurance Company of America, Safeco Plaza, Seattle, WA 98185, and will be filed with the Accounting Section for safekeeping. The Trust Lands Administration is holding the bond for the benefit of The Uintah and Ouray Agency and its successors and assigns to ensure surface reclamation of the access route and well pad for the North Chapita #118-6 Well.

Upon recommendation of Ms. Garrison, the Director accepted the \$1000 bond as surety for EOG Resources, Inc.

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## S U R F A C E   A C T I O N S

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### GRAZING PERMITS

#### GRAZING PERMIT NOS. 21620-01 AND 23296 (PARTIAL ASSIGNMENT OF GP 21620-01 AND CREATION OF GP 23296)

Maven T. Bagley and Talmage Bagley, HC 80 Box 510, Koosharem, UT 84744, have requested the Trust Lands Administration's permission to assign a portion of GP 21620-01 to Weldon D. Bagley, 1138 E. Blue Bell Lane, Tempe, AZ 85281. In order to facilitate the assignment, a new grazing permit, GP 23296, will be created. The following lands are being assigned to GP 23296:

T28S, R1W, SLB&M

Sec. 32: All

640.00 Acres    24 AUMs

T28S, R2W, SLB&M

Sec. 36: All (except ROW 723, containing 9.09 ac.)

630.91 Acres    24 AUMs

T29S, R2W, SLB&M

Sec. 2: All

646.37 Acres    24 AUMs

GP 21620-01 will now contain 1,240.00 acres and 122 AUMs. GP 23296 will contain 1,917.28 acres and 72 AUMs.

The expiration date of June 30, 2016, will apply to both permits.

The assignment fee in the amount of \$72.00 has been submitted and receipted under GP 21620-01. The rental and weed fees have been paid for the 2008-2009 season on the lands involved in the assignment. Piute County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the partial assignment of GP 21620-01 and the creation of GP 23296.

#### GRAZING PERMIT NOS. 22803-00 AND 23297 (PARTIAL ASSIGNMENT OF GP 22803-00 AND CREATION OF GP 23297)

Welby K. Aagard Family L.C., P.O. Box 271, Moroni, UT 84646, has requested Trust Lands Administration's permission to assign a portion of GP 22803-00 to Jacob Chalk Creek LLC, 2737 Pierce Ave., Ogden, UT 84403. In order to facilitate the assignment, a new grazing permit, GP 23297, will be created. The following lands are being assigned to GP 23297:

T18S, R12W, SLB&M

Sec. 2: All

660.80 Acres    30 AUMs

T17S, R11W, SLB&M

Sec. 16: All

640.00 Acres    30 AUMs

GP 22803-00 will now contain 17,249.71 acres and 803.39 AUMs. GP 23297 will contain 1,300.80 acres and 60 AUMs.

**GRAZING PERMIT NOS. 22803-00 AND 23297 (PARTIAL ASSIGNMENT OF GP 22803-00 AND CREATION OF GP 23297) (CONTINUED)**

The expiration date of June 30, 2015, will apply to both permits.

The assignment fee in the amount of \$60.00 has been submitted and receipted under GP 22803-00. The rental and weed fees have been paid for the 2008-2009 season on the lands involved in the assignment. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the partial assignment of GP 22803-00 and the creation of GP 23297.

**GRAZING PERMIT GP 22976 - AMENDMENT (ADDITION AUMS)**

Sheldon D. Richins, P.O. Box 109, Henefer, UT 84033, has requested the addition of 125 AUMs to the above referenced grazing permit. GP 22976 will now contain 330 AUMs. The \$50.00 amendment fee has been paid. The grazing rental and weed fees will be billed during the next billing cycle. Tooele County. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the addition 125 AUMs for GP 22976.

**RIGHTS OF ENTRY**

**RIGHT OF ENTRY NO. 5261 (APPROVAL)**

The School and Institutional Trust Lands Administration has received an application from Newfield Production Company, Route 3, Box 3630, Roosevelt, Utah 84052, to occupy the following described trust land located within Uintah County, for a man camp located on an existing well site (Monument State 13-2):

T9S, R17E, SLB&M

Section 2: NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> (within)

2210 ft. from South Line, 0604 ft. from West Line.

Contains 1.00 acre, more or less.

The trailer would house two employees of Halliburton RTA, the applicant's partner in the current deep gas exploration in this area. The site would be located on the existing drill pad (ML 45555), Monument State 13-2, and no additional surface disturbance will occur.

A cultural resource survey will not be completed as there is no new surface disturbance.

The fee for this right of entry is \$2,000.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$2,100.00. Uintah County. School Fund. The term is one year, commencing November 24, 2008, and expiring November 23, 2009.

Upon recommendation of Mr. Kurt Higgins, the Director approved Right of Entry No. 5261 for a one-year term.

**RIGHT OF ENTRY NO. 5263 (APPROVAL)**

The School and Institutional Trust Lands Administration has received a right of entry application from High West Agriculture, 9591 N. Minersville Hwy, Cedar City, UT 84720, to occupy the following described trust land located within Washington County for the temporary use for harvesting yucca plants:

**T43 S, R13W, SLB&M**

Section 16: All

This is the fourth permit issued to High West Agriculture for yucca harvesting. An inspection was completed after the other permits on the harvest area and it was determined that they had met all the requirements of the permit. The conditions set on the other permits will apply to this permit as well. They are:

1. No more than half of the total existing biomass of yucca plants will be harvested.
2. Plants harvested and plants left shall be roughly evenly spaced, that no large blocks shall be left without adequate plants to provide for regeneration.
3. Plants left shall be healthy and viable for reproducing.
4. Lands harvested shall be subject to review and inspection at any time before, during, or after harvest.
5. Harvest shall be conducted in a way that does not result in increased erosion in the harvest area to exceed the tolerable rate as determined by the Washington County office of USDA/NRCS.

These conditions were set as a result of comments received from the Department of Environmental Quality/Division of Water Quality through the Resource Development Coordinating Committee ("RDCC") review process. They will be included in this permit as well as future permits that may be issued on this land. This proposed project has also been reviewed by the Trust Lands Administration's staff archeologist, who has determined that this is not an undertaking. Yucca permits have been issued in the past on this section.

The fee for this right of entry is \$2,000.00 (10 ton @ \$200.00/ton), plus a \$50.00 application and a \$50.00 processing fee, totaling \$2,100.00. School Fund. Washington County.

The term of this permit is 3 months, beginning November 21, 2008, and expiring on February 21, 2009.

Upon recommendation of Mr. Lou Brown, the Director approved the above listed Right of Entry.

**RIGHT OF ENTRY NO. 5264**

On November 12, 2008, Ms. Jeanine Kleinke, Trust lands Technician, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of Grassroots, LLC, P.O. Box 1425, Moab, UT 84532, to occupy the following described trust land located within Grand County to conduct a 50 K race:

**T25S, R20E, SLB&M**

Sec's 16, 32, 36: Within

**T26S, R21E, SLB&M**

Sec. 16: Within

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. The permittee shall also pay to the Trust Lands Administration the sum of 3% of gross receipts, based on number of clients, number of client days, and percentage of time spent on trust land, or \$4.00/participant, whichever greater, within 30 days of permit expiration date. Grand County. School Fund. Expiration date: February 15, 2009.

*This item was submitted by Ms. Jeanine Kleinke for record-keeping purposes.*

## **EASEMENTS**

### **EASEMENT NO. 1114 (APPROVAL)**

#### **APPLICANT'S NAME AND ADDRESS:**

San Juan County  
P.O. Box 9  
117 South Main Street  
Monticello, Utah 84535-0009

#### **LEGAL DESCRIPTION:**

Township 37 South, Range 18 East, SLB&M  
Section 36: NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$

Cedar Mesa OHV Trail

A 33 foot wide easement being 16.5 feet on each side of the following described centerline:

Beginning at a point located S00°36'56"E 844.69 feet from the northwest corner of Section 36, T37S, R18E, SLB&M, said point being located on the west line of said Section 36, thence running N87°11'26"E 27.99 feet, thence S59°25'38"E 55.5 feet, thence S77°59'02"E 35.15 feet, thence S37°38'47"E 17.38 feet, thence S18°34'56"W 10.42 feet, thence S19°19'05"E 10.44 feet, thence S89°17'44"E 24.64 feet, thence N48°37'06"E 181.98 feet, thence N76°49'46"E 33.46 feet, thence N58°07'39"E 78.22 feet, thence N52°59'34"E 52.26 feet, thence N70°14'27"E 45.58 feet, thence N30°10'51"E 49.23 feet, thence N12°29'53"E 27.1 feet, thence N31°24'06"E 34.88 feet, thence N33°18'30"E 43.49 feet, thence N10°59'27"E 27.78 feet, thence N54°48'25"E 53.51 feet more or less to a point of intersection with an existing road. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Total length of said described easement is 809.01 feet, more or less. Contains 0.61 acres, more or less.

Also, beginning at a point located S75°30'56"E 1477.14 feet from the northwest corner of Section 36, T37S, R18E, SLB&M, said point being located on the centerline of an existing road, thence running N81°49'46"E 19.92 feet, thence N31°11'22"E 106.38 feet, thence N24°35'28"E 37.12 feet, thence N37°17'11"E 29.92 feet, thence S86°04'46"E 37.36 feet, thence S59°52'23"E 29.59 feet, thence S48°59'24"E 104.18 feet, thence S33°11'12"E 89.36 feet, thence S40°27'54"E 36.28 feet, thence S31°32'02"E 66.82 feet, thence S54°37'54"E 31.85 feet, thence S41°03'39"E 35.8 feet, thence S55°32'00"E 29.51 feet, thence S86°52'58"E 38.21 feet, thence S44°40'09"E 40.35 feet, thence S28°48'14"E 25.7 feet, thence S00°33'27"W 30.99 feet, thence S17°31'56"W 75.17 feet, thence S28°00'33"W 32.03 feet more or less to a point of intersection with an existing road. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Total length of said described easement is 896.55 feet, more or less. Contains 0.68 acres, more or less.

Also, beginning at a point located S30°20'58"W 948.35 feet from the north  $\frac{1}{4}$  corner of Section 36, T37S, R18E, SLB&M, said point being located on the centerline of an existing road, thence running N44°04'41"E 58.76 feet, thence N60°30'50"E 25.37 feet, thence S58°32'57"E 100.52 feet, thence S16°31'23"E 109.19 feet, thence S64°40'57"E 51.24 feet, thence S78°56'41"E 16.5 feet, thence S47°46'10"E 33.02 feet, thence S66°58'35"E 30.31 feet, thence N72°27'54"E 88.25 feet, thence S89°17'39"E 25.88 feet, thence S41°45'02"E 29.28 feet, thence S00°45'08"W 153.09 feet, thence S47°12'36"W 55.41 feet, thence S14°03'48"W 62.14 feet, thence S24°29'43"W 25.24 feet, thence S51°19'22"W 51.33 feet, thence S10°09'02"W 24.84 feet, thence S44°56'39"E 35.69 feet, thence S10°06'26"E 40.57 feet, thence S58°26'08"E 43.78 feet, thence S70°36'53"E 49.17 feet, thence S50°18'18"E 97.01 feet, thence S35°39'23"E 34.87 feet, thence S54°48'53"E 92.93 feet, thence S60°22'37"E

**EASEMENT NO. 1114 (APPROVAL) (CONTINUED)**

85.62 feet, thence S39°35'32"E 32.62 feet, thence S17°09'37"E 20.14 feet, thence S40°21'28"E 34.99 feet, thence S19°02'48"E 35.89 feet, thence S13°18'45"E 50.67 feet, thence S29°29'31"E 47.84 feet, thence S58°02'33"E 62.29 feet, thence S68°16'51"E 45.16 feet, thence S21°33'57"E 117.82 feet, thence S65°44'32"E 34.71 feet, thence S38°37'47"E 128.7 feet, thence S27°07'32"E 33.64 feet, thence S09°14'51"E 40.2 feet, thence S15°38'16"W 44.13 feet, thence S11°39'56"E 23.72 feet, thence S34°35'05"E 29.61 feet, thence S54°29'39"E 21.46 feet, thence S19°45'15"E 66.06 feet, thence S53°05'56"E 60.26 feet, thence S89°02'54"E 39.98 feet, thence N57°43'53"E 66.55 feet, thence S51°39'20"E 34.69 feet, thence S40°42'19"E 47.03 feet, thence S34°10'50"E 28.37 feet to a point of intersection with an existing road. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Total length of said described easement is 2566.52 feet, more or less. Contains 1.94 acres, more or less.

**Township 30 South, Range 23 East, SLB&M**

Section 2: SW¼SW¼ (within)

**Hatch Wash OHV Trail**

A 33 foot wide easement being 16.5 feet on each side of the following described centerline:

Beginning at a point located N01°06'44"W 553.41 feet from the southwest corner of Section 2, T30S, R23E, SLB&M, said point being located on the west line of said Section 2, thence running N73°57'50"E 45.43 feet, thence N70°33'15"E 82.16 feet, thence S80°25'38"E 105.96 feet, thence S62°31'48"E 116.96 feet, thence S76°34'21"E 75.51 feet, thence S66°53'00"E 86.39 feet, thence N75°17'32"E 42.42 feet, thence N75°18'59"E 29.15 feet, thence N42°56'48"E 58.02 feet, thence N26°05'53"E 119.15 feet, thence N37°35'55"E 88.54 feet, thence N47°53'33"E 60.85 feet, thence N61°11'50"E 141.04 feet, thence N49°45'10"E 54.06 feet, thence N87°12'39"E 41.91 feet, thence S63°14'33"E 58.71 feet, thence S47°39'41"E 38.87 feet, thence S59°16'14"E 99.49 feet, thence S53°18'20"E 71.62 feet, thence S41°42'39"E 118.68 feet, thence S32°21'55"E 62.13 feet, thence S11°53'59"E 21.43 feet to a point of intersection with an existing road. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Total length of said described easement is 1618.47 feet, more or less. Contains 1.23 acres, more or less.

**Township 29.5 South, Range 23 East, SLB&M**

Section 36: E½SW¼ (within)

**Hook & Ladder OHV Trail**

A 33 foot wide easement being 16.5 feet on each side of the following described centerline:

Beginning at a point located N36°53'02"E 3128.07 feet from the southwest corner of Section 36, T29.5S, R23E, SLB&M, said point being located on the centerline of an existing road, thence running S28°29'56"E 46.39 feet, thence S50°44'16"E 60.39 feet, thence S31°30'15"E 182.23 feet, thence S04°47'47"E 177.53 feet, thence S07°31'03"W 42.14 feet, thence S04°17'42"E 312.74 feet, thence S01°49'19"E 67.26 feet, thence S11°13'37"E 70.94 feet, thence S20°36'16"E 83.94 feet, thence S51°35'10"E 179 feet, thence S26°02'08"E 45.56 feet, thence S12°30'30"W 20.17 feet, thence S28°21'36"W 72.34 feet, thence S13°14'55"W 87.51 feet, thence S04°46'20"E 32.55 feet, thence S12°25'52"W 51.72 feet, thence S08°42'12"E 40.16 feet, thence S25°26'14"E 95.52 feet, thence S18°22'37"E 61.1 feet, thence S35°19'52"E 72.03 feet, thence S54°51'35"E 24.34 feet, thence S24°10'03"E 28.53 feet, thence S02°39'37"W 110.18 feet, thence S07°06'13"E 45.49 feet, thence S00°15'19"E 116.96 feet, thence S15°12'01"W 60.21 feet, thence S33°49'50"W 68.53 feet, thence S11°24'30"W 54.41 feet, thence S05°03'40"W



**EASEMENT NO. 1114 (APPROVAL) (CONTINUED)**

40.38 feet, thence S17°38'50"W 207.97 feet, thence S33°22'38"W 120.96 feet to a point located on the south line of said Section 2. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Total length of said described easement is 2679.18 feet, more or less. Contains 2.03 acres, more or less.

Total length of easement is 8569.73 feet, more or less. Total easement contains 6.49 acres, more or less.

COUNTY: San Juan

ACRES: 6.49

FUND: School

**PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain three off-highway vehicle ("OHV") access roads. The roads will be new construction and will connect existing routes within the County's designated OHV trail system. The trails included in this easement are the Cedar Mesa Trail, the Hatch Wash Trail, and the Hook and Ladder Trail. The total proposed easement corridor is 8,569.73 feet long and 33 feet wide, containing 6.49 acres. The term of the easement would be perpetual, provided that a relocation clause is included in the easement agreement.

**RELEVANT FACTUAL BACKGROUND:**

The Resource Development Coordinating Committee ("RDCC") review was initiated on June 29, 2006. Comments were received from the Southeastern Utah Association of Governments as follows:

**Southeastern Utah Association of Governments:**

*"Favorable comment recommended."*

The applicant has been notified of the comments provided by the RDCC.

The proposed easement corridor has been surveyed for cultural resources by Bennett Management Services, LLC (U-06-BT-1275s). One site, (42Sa27011), was found within the proposed project area, which was determined to be not eligible for inclusion on the National Register. A finding of "No Historic Properties Affected" was recommended for the project. The Trust Lands Administration's staff archaeologist and the State Historic Preservation Office ("SHPO") have reviewed this survey and concur with the finding of "No Historic Properties Affected". Cultural resource clearance has been granted for the project.

**EVALUATION OF FACTS:**

1. The proposed easement is located entirely on trust lands. However, the roads that are encompassed in this easement cross other private and federal lands.
2. The proposed easement will be issued for a perpetual term, provided that a relocation clause is included in the easement agreement.
3. The applicant has requested that the School and Institutional Trust Lands Administration's OHV funding be used to pay the appropriate fees pursuant to R850-40-600. This qualifies for funding because the County has agreed that the roads will be open to OHV use.
4. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
5. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

**EASEMENT NO. 1114 (APPROVAL) (CONTINUED)**

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1114 for a perpetual term beginning November 1, 2008, with the easement fee being \$3,895.33 plus the \$600.00 application fee. The administrative fee required by R850-40-1800 has been paid in a one-time payment of \$500.00. The County has applied for funding of the easement fee, application fee, and one-time administrative fee through the Agency's OHV funding program. This easement qualifies for funding based on the acknowledgement by the County that this road is open to OHV use and is part of an open OHV trail system within the county.

**EASEMENT NO. 1129 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Enduring Resources, LLC  
475 17<sup>th</sup> Street, Suite 1500  
Denver, Colorado 80202

**LEGAL DESCRIPTION:**

Township 12 South, Range 21 East, SLB&M

Section 16: SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$  (within)

A 30 foot wide corridor located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 16, T12S, R21E, SLB&M, the limits of said corridor being 15 feet on either side of the following described survey line:

Beginning at a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 16, T12S, R21E, SLB&M, which bears N14°36'31"E 3810.23 feet from the south  $\frac{1}{4}$  corner of said section, thence S36°26'30"W 29.46 feet; thence S36°26'30"W 225.26 feet; thence S37°34'05"W 150.66 feet; thence S19°53'12"W 392.87 feet; thence S09°02'54"W 201.98 feet; thence S02°10'00"E 237.75 feet; thence S22°38'11"W 216.22 feet; thence S41°44'50"W 191.06 feet; thence S30°28'28"W 154.12 feet; thence S10°50'15"W 107.68 feet; thence S63°45'13"W 31.99 feet; thence S66°29'35"W 66.31 feet; thence S52°08'14"W 194.74 feet; thence S61°14'16"W 72.24 feet; thence S67°36'41"W 182.25 feet; thence S57°30'47"W 67.57 feet; thence S60°27'22"W 43.12 feet; thence S77°43'56"W 104.55 feet; thence S64°10'16"W 59.25 feet; thence S60°48'50"W 94.55 feet; thence S43°11'29"W 111.50 feet; thence S48°48'37"W 128.79 feet; thence S57°43'12"W 60.48 feet; thence S53°31'42"W 157.79 feet; thence S48°45'58"W 31.03 feet; thence S39°58'48"W 38.08 feet; thence S25°07'20"W 29.78 feet; thence S17°47'43"W 83.82 feet; thence S41°13'03"W 67.68 feet; thence S45°36'37"W 103.38 feet; thence S40°03'56"W 111.64 feet; thence S52°01'41"W 117.91 feet; thence S55°56'39"W 88.57 feet; thence S51°54'14"W 66.13 feet; thence S43°14'22"W 144.59 feet; thence S14°21'45"W 70.93 feet; thence S04°54'38"W 43.32 feet; thence S29°15'06"W 23.06 feet; thence S41°17'51"W 63.05 feet; thence S49°49'44"W 111.62 feet; thence S59°51'54"W 33.08 feet; thence S39°44'06"W 18.84 feet; thence S06°53'21"W 135.71 feet; thence S08°52'03"W 111.65 feet; thence S11°44'13"W 70.86 feet; thence S22°27'32"W 42.32 feet to a point on the south line of the SW $\frac{1}{4}$  of said section which bears N89°56'06"E 873.67 feet from the southwest corner of said section. The side lines of said corridor to be shortened or lengthened to terminate at the said south line of the SW $\frac{1}{4}$ . Basis of bearings is the south line of the SW $\frac{1}{4}$  of said section which is taken from global positioning satellite observations to bear S89°56'06"W. Contains 3.67 acres more or less.

COUNTY: Uintah

ACRES: 3.67

FUND: School

**EASEMENT NO. 1129 (APPROVAL) (CONTINUED)****PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain a 6-inch diameter surface natural gas pipeline and an access road. The access road and pipeline would service the Willow Creek 12-21-41-20 Well, located on adjacent federal lands. The proposed pipeline and access road would tie into an existing road and pipeline at the north end of the easement corridor and continue through the trust lands parcel to federal lands on the south end of the corridor. The access road would be new construction. The proposed easement corridor is 4,889.25 feet long and 30 feet wide, containing 3.67 acres. The term of the easement would be 30 years.

**RELEVANT FACTUAL BACKGROUND:**

The Resource Development Coordinating Committee ("RDCC") review was initiated on August 31, 2006. Comments were received from the Utah Geological Survey and the Uintah County Commission as follows:

**Utah Geological Survey:**

*"Although there are no paleontological localities recorded in our office for this project area, the Eocene Uinta Formation that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist, therefore, recommends that a paleontological survey be conducted for this project."*

**Uintah County Commission:**

*"Uintah County supports Enduring Resources, LLC to construct, operate, repair, and maintain an access road and six inch diameter surface natural gas pipeline. The ground disturbance during construction and the increase in traffic, equipment, and dust and noise emissions during construction should be kept to a minimum."*

*"We have no further comment at this time but reserve the right to comment at a later date, if warranted."*

The applicant has been notified of the comments provided by the RDCC.

Pursuant to the comments submitted by the Utah Geological Survey, a paleontological survey of the proposed project area has been conducted by Intermountain Paleo-Consulting (Report No. 06-267). No fossils were found within the project area, therefore it was recommended that no paleontological restrictions be placed on the project. The Trust Lands Administration's staff paleontologist has reviewed this report and concurs with this recommendation. If any fossils are found during construction activities, a qualified paleontologist should be notified immediately to evaluate the discovery.

The project area has been surveyed for cultural resources by Montgomery Archaeological Consultants (U06-MQ-1314b,s). No sites were identified during the survey and a finding of "Historic Properties Not Affected" was recommended. The Trust Lands Administration's staff archaeologist and the State Historic Preservation Office ("SHPO") have reviewed the survey and have concurred with this finding.

In order to protect the potential for future oil shale extraction from the lands underlying the easement corridor, a relocation clause will be included in the easement agreement.

**EASEMENT NO. 1129 (APPROVAL) (CONTINUED)****EVALUATION OF FACTS:**

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1129 for a term of 30 years beginning November 1, 2008, and expiring October 31, 2038, with the easement fee being \$5,333.73 plus the \$600.00 application fee. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement with the first payment being due on January 1, 2011.

**EASEMENT NO. 1239 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Enduring Resources, LLC  
475 17<sup>th</sup> Street, Suite 1500  
Denver, Colorado 80202

**LEGAL DESCRIPTION:**

Township 7 South, Range 24 East, SLB&M  
Section 36: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$  (within)

A 30 foot wide easement located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 36, Township 7 South, Range 24 East, SLB&M, the easement limits being 15 feet on each side of the following described centerline:

Beginning at a point on the south line of the SW $\frac{1}{4}$  of Section 36, T7S, R24E, SLB&M which bears S89°55'23"E 1196.04 feet from the southwest corner of said section, thence N14°13'11"E 215.80 feet; thence N13°23'15"E 85.40 feet; thence N04°36'32"E 99.54 feet; thence N04°41'50"W 60.61 feet; thence N12°19'52"W 316.04 feet; thence N13°25'26"W 324.18 feet; thence N13°10'30"W 426.76 feet; thence N12°14'26"W 472.50 feet; thence N13°20'11"W 159.78 feet; thence N23°20'39"W 90.26 feet; thence N06°34'04"E 77.43 feet; thence N05°27'40"W 151.95 feet; thence N04°09'54"W 93.11 feet; thence N01°04'28"E 128.37 feet; thence N06°32'44"E 423.22 feet; thence N08°17'33"E 99.27 feet; thence N19°30'34"E 79.54 feet; thence N23°58'32"E 84.35 feet; thence N00°56'33"W 163.99 feet; thence N25°58'53"W 120.35 feet; thence N19°29'08"E 120.68 feet; thence N05°09'34"E 325.23 feet; thence N04°34'32"E 201.52 feet; thence N26°59'03"E 106.28 feet; thence N36°39'40"E 81.55 feet; thence N35°50'02"E 193.71 feet; thence N37°34'38"E 298.07 feet; thence N34°52'20"E 296.69 feet; thence N36°22'31"E 213.08 feet; thence N39°25'39"E 121.95 feet to a point on the north line of the NW $\frac{1}{4}$  of said section which bears S89°56'24"W 874.96 feet from the north  $\frac{1}{4}$  corner of said section.. Basis of bearings is the south line of the SW $\frac{1}{4}$  which is taken from global positioning satellite observations to bear S89°55'23"E a measured distance of 2637.70 feet. Contains 3.88 acres more or less.

COUNTY: Uintah

ACRES: 3.88

FUND: School

**EASEMENT NO. 1239 (APPROVAL) (CONTINUED)****PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain a 6-inch diameter surface natural gas pipeline. The proposed pipeline would service the Coyote Basin 8-24-21-1 Well and would run alongside an existing road. The proposed easement corridor is 5,631.21 feet long and 30 feet wide, containing 3.88 acres. The proposed term of the easement is 30 years.

**RELEVANT FACTUAL BACKGROUND:**

The Resource Development Coordinating Committee ("RDCC") review was initiated on January 11, 2007. Comments were received from the Department of Environmental Quality/Division of Air Quality, the Utah Geological Survey, and the Uintah County Commission as follows:

**Department of Environmental Quality/Division of Air Quality:**

*"The proposed construction and operation of a six-inch diameter surface natural gas pipeline to service the Coyote Basin 8-24-21-1 Well, in Uintah County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board if any compressor or pump stations are constructed at the site. If a permit is required, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 North 1950 West, Salt Lake City, Utah, 84116, for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. The guidelines for preparing an NOI are available online at <http://www.airquality.utah.gov/Permits/FORMS/NOIGuide8.pdf>"*

**Utah Geological Survey:**

*"Although there are no paleontological localities recorded in our files for this project area, the Eocene Duchesne River Formation that may be exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist, therefore, recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit."*

**Uintah County Commission:**

*"Uintah County supports the action of Enduring Resources, LLC to construct, operate, repair, and maintain a 6-inch diameter surface natural gas pipeline in T7S, R21E, Section 36. The pipeline would service the Coyote Basin 8-24-21-1 Well and run along an existing road. The proposed easement corridor is 5,631.21 feet long and 30 feet wide, containing 3.88 acres. The proposed term of the easement is 30 years."*

*"Uintah County is not opposed to this project as long as the pipeline is located outside of the County's right-of-way. We will need to be informed of the distance from the existing road the pipeline is to be placed."*

*"The ground disturbance during construction, increase in traffic, equipment, dust, and noise emissions should be kept to a minimum. We have no further comment at this time but reserve the right to comment at a later date if warranted."*

The applicant has been notified of the comments provided by the RDCC. The comments submitted by the Division of Air Quality are addressed within Paragraph 12 of the easement agreement.

Pursuant to the comments submitted by the Utah Geological Survey, a paleontological survey of the proposed project area has been conducted by Intermountain Paleo-Consulting (Report No. 07-02). No fossils were found within the project area, therefore it was recommended that no paleontological restrictions be placed on the project. The Trust Lands Administration's staff paleontologist has reviewed this report and concurs with this recommendation. If any fossils are found during construction activities, a qualified paleontologist should be notified immediately to evaluate the discovery.

**EASEMENT NO. 1239 (APPROVAL) (CONTINUED)**

The project area has been surveyed for cultural resources by Montgomery Archaeological Consultants (U-07-MQ-0509b,s). No significant sites were identified during the survey and a finding of "Historic Properties Not Affected" was recommended. The Trust Lands Administration's staff archaeologist and the State Historic Preservation Office ("SHPO") have reviewed the survey and have concurred with this finding.

**EVALUATION OF FACTS:**

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1239 for a term of 30 years beginning November 1, 2008, and expiring October 31, 2038, with the easement fee being \$4,095.43 plus the \$600.00 application fee. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement with the first payment being due on January 1, 2011.

**EASEMENT NO. 1242 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Dixie Escalante Electric  
145 West Brigham Road  
St. George, Utah 84790

**LEGAL DESCRIPTION:**

Township 43 South, Range 16 West, SLB&M

Section 32: Lots 2 & 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  (within)

Beginning at a point approximately 2768.80 feet S88°29'04"E from the southwest corner of Section 32, T43S, R16W, SLB&M, said point located on the trust lands south property line and east edge of the 500 kV Navajo Transmission Line; proceeding thence N22°02'45"W 3445 feet; thence S88°39'45"E 109 feet; thence S22°02'45"E 3445.36 feet; thence N88°29'04"W 109 feet to the point of beginning. Containing 7.909 acres more or less.

Township 43 South, Range 17 West, SLB&M

Section 16: N $\frac{1}{2}$ NE $\frac{1}{4}$  (within)

Beginning at a point approximately 1028 feet S01°31'30"W from the northeast corner of Section 16, T43S, R17W, SLB&M, said point being located on the east section line of said section, proceeding thence S01°31'30"W 112 feet; thence N61°47'44"W 2529.52 feet; thence S88°39'51"E 221.27 feet; thence S61°47'44"E 2281.17 feet to the point of beginning. Containing 5.5219 acres more or less.

COUNTY: Washington

ACRES: 13.4309

FUND: School

**EASEMENT NO. 1242 (APPROVAL) (CONTINUED)****PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain an overhead power transmission line. The proposed transmission line would run alongside the existing 500 kV Navajo Transmission line and would connect the applicant's service districts and help to meet the demands of growth in the area. The proposed easement corridor is 5,850 feet long and 100 feet wide, containing 13.4309 acres. The term of the easement would be 30 years.

**RELEVANT FACTUAL BACKGROUND:**

The Resource Development Coordinating Committee ("RDCC") review was initiated on January 24, 2007. Comments were received from the Five County Association of Governments as follows:

**Five County Association of Governments:**

*"The Utah School and Institutional Trust Lands Administration proposes to issue a power line easement across two sections of land located southwest of St. George. The easement will enable Dixie Escalante REA to upgrade and install additional lines to meet growing demand in the vicinity. The easement follows the existing Navajo transmission line. Regional policies support efforts to improve basic service delivery, and the use of existing utility corridors."*

The applicant has been notified of the comments provided by the RDCC.

The project area has been surveyed for cultural resources by Bighorn Archaeological Consultants (U-07-HO-0245b,p,s). No significant sites were identified during the survey and a finding of "Historic Properties Not Affected" was recommended. The Trust Lands Administration's staff archaeologist and the State Historic Preservation Office ("SHPO") have reviewed the survey and have concurred with this finding.

**EVALUATION OF FACTS:**

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1242 for a term of 30 years beginning November 1, 2008, and expiring October 31, 2038, with the easement fee being \$8,510.33 plus the \$600.00 application fee. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement with the first payment being due on January 1, 2011.

**EASEMENT NO. 1433 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

EnCana Oil & Gas (USA) Inc.  
2717 CR 215, Suite 100  
Parachute, Colorado 81635

**LEGAL DESCRIPTION:**

Township 30 South, Range 25 East, SLB&M  
Section 16: NE $\frac{1}{4}$ NE $\frac{1}{4}$  (within)

A strip of land 30.00 feet in width for a pipeline easement, situated within Section 16, Township 30 South, Range 25 East, SLB&M, San Juan County, Utah, the boundaries thereof being 15.00 feet on either side of the following described centerline:

Commencing at the section corner common to Sections 9, 10, 15, and 16, Township 30 South, Range 25 East, SLB&M, San Juan County, Utah, being a brass cap and iron pipe monument, thence S08°46'03"W 1135.11 feet to the point of beginning; thence N57°20'37"W 74.02 feet; thence S40°35'36"W 148.25 feet; thence S47°22'11"W 83.52 feet to the point of terminus, N18°23'22"W 1460.90 feet from the quarter section corner common to Sections 15 and 16, being a brass cap and iron pipe monument.

The total length of the pipeline easement as described above is 305.79 feet or 18.53 rods, containing 0.21 acres, more or less.

COUNTY: San Juan

ACRES: 0.21

FUND: School

**PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain an 8-inch diameter buried natural gas gathering pipeline. The proposed pipeline would tie into an existing gas pipeline and would be used to transport gas to the Bullhorn Compressor Station. The pipeline would run alongside an existing access road. The proposed easement corridor is 305.79 feet long and 30 feet wide, containing 0.21 acres. The term of the easement would be 30 years.

**RELEVANT FACTUAL BACKGROUND:**

The Resource Development Coordinating Committee ("RDCC") review was initiated on September 15, 2008. Comments were received from the Department of Environmental Quality/Division of Air Quality and the Southeastern Utah Association of Governments as follows:

**Department of Environmental Quality/Division of Air Quality:**

*"This proposal may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board if any compressor or pump stations are constructed at the site. If a permit is required, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 North 1950 West, Salt Lake City, Utah, 84116, for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. The guidelines for preparing an NOI are available online at <http://www.airquality.utah.gov/Permits/FORMS/NOIGuide8.pdf>*

*"In addition, the project is subject to R307-205-5, Fugitive Dust, since the project could have a short-term impact on air quality due to the fugitive dust that could be generated during the excavation and construction phases of the project. An Approval Order is not required solely for the control of fugitive dust, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover, or windbreaks. A copy of the rules may be found at: [www.rules.utah.gov/public/code/r307/r307.htm](http://www.rules.utah.gov/public/code/r307/r307.htm)."*



**EASEMENT NO. 1433 (APPROVAL) (CONTINUED)****Southeastern Utah Association of Governments:**

*"Favorable comment recommended."*

The applicant has been notified of the comments provided by the RDCC. The comments provided by the Division of Air Quality are addressed within Paragraph 12 of the easement agreement.

The Trust Lands Administration's staff archeologist has reviewed the cultural resources survey that was conducted for this project by Grand River Institute (U-07-GB-1253s). One eligible site, (42Sa25036), was identified within the project area. The proposed action will barely clip the eastern portion of the site, therefore it was recommended that the project be allowed to proceed with a finding of "No Adverse Affect". The Trust Lands Administration's staff archaeologist and the State Historic Preservation Office ("SHPO") have concurred with this finding and archaeological clearance has been granted for the project.

A paleontological survey of the project area has been completed by Robert A. Linder, Paleontologist. No significant fossils were discovered along the course of the pipeline and no additional paleontological monitoring was recommended. If any significant fossils are encountered during construction of the pipeline a qualified paleontologist should be immediately contacted to evaluate the discovery.

**EVALUATION OF FACTS:**

1. The proposed easement is located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1433 for a term of 30 years beginning November 1, 2008, and expiring October 31, 2038, with the easement fee being \$352.12 plus the \$750.00 application fee. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement with the first payment being due on January 1, 2011.

**EASEMENT NO. 1442 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Cisco Expro, LLC  
7814 North Douglas Drive  
Park City, Utah 84098

**LEGAL DESCRIPTION:**

Township 20 South, Range 24 East, SLB&M  
Section 16: W½W½ (within)

A 10 foot wide easement, being 5 feet on either side of the following described centerline:

**EASEMENT NO. 1442 (APPROVAL) (CONTINUED)**

Beginning at a point located on the north line of Section 16, T20S, R24E, SLB&M, said point being located east 926.52 feet from the northwest corner of said Section 16 at State Plane Utah Central Zone NAD 27 coordinates of 272,378.51 N and 2,632,436.44 E and thence running S05°22'0"W 27.94 feet; thence S02°26'29"W 136.17 feet; thence S02°7'39"W 139.24 feet; thence S00°32'2"E 138.76 feet; thence S00°13'9"W 135.57 feet; thence S02°21'48"E 136.45 feet; thence S02°01'55"E 140.52 feet; thence S00°37'22"E 140.82 feet; thence S00°16'56"E 142.38 feet; thence S00°48'37"E 134.78 feet; thence S01°49'56"E 135.75 feet; thence S00°45'45"W 137.48 feet; thence S00°50'43"W 136.5 feet; thence S00°41'44"W 136 feet; thence S00°04'05"W 133.9 feet; thence S01°36'11"E 84.16 feet; thence S00°06'12"W 56.28 feet; thence S01°10'30"W 137.49 feet; thence S00°19'29"W 134.95 feet; thence S00°50'55"W 137.88 feet; thence S01°31'07"E 136.77 feet; thence S00°01'43"E 137.65 feet; thence S01°46'38"E 135.2 feet; thence S01°47'22"E 140.91 feet; thence S00°51'48"E 139.32 feet; thence S00°49'27"E 134.63 feet; thence S01°46'55"W 136.85 feet; thence S02°09'55"W 136.68 feet; thence S00°59'47"W 136.51 feet; thence S00°34'07"W 136.35 feet; thence S00°59'39"W 135.26 feet; thence S00°49'00"W 139.93 feet; thence S00°11'00"E 139.64 feet; thence S00°48'10"E 136.64 feet; thence S00°24'21"E 137.18 feet; thence S01°50'03"E 135.09 feet; thence S01°16'39"E 137.99 feet; thence S01°54'44"E 137.29 feet; thence S00°49'03"E 135.9 feet; thence S00°32'10"E 139.65 feet; thence S00°34'28"E 27.64 feet to the point of terminus, said point being located on the south line of said Section 16 at State Plane Utah Central Zone NAD 27 coordinates of 277,653.70 N and 2,632,390.44 E. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Said described centerline is 5,276.11 feet in length. Contains 1.21 acres more or less.

COUNTY: Grand

ACRES: 1.21

FUND: School

**PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain a 2-inch diameter natural gas gathering pipeline. The pipeline will be used to service the 1 South Agate Federal Well located on federal lands to the south as well as the 1 JDP Speedy State Well located on trust lands within T20S, R24E, Section 16. The pipeline will connect these two wells to a compressor station located just north of Section 16. The portion of the pipeline located between the 1 JDP Speedy State Well and the compressor station is already in existence and was originally constructed under the authority of Mineral Lease 47843. With the extension of this existing pipeline to the 1 South Agate Federal Well, the entire pipeline will now be transporting off-lease gas, therefore the entire pipeline requires an easement. The proposed pipeline follows a seismic survey line which was established in August, 2007, as part of the Danish Flat 2-d seismic project. Since the pipeline will be installed along this previously disturbed seismic line, this project will not result in any new ground disturbance.

The proposed easement corridor is 5,276.11 feet long and 10 feet wide, containing 1.21 acres. The proposed term of the easement is 30 years.

**RELEVANT FACTUAL BACKGROUND:**

Since this pipeline will follow a previously disturbed seismic survey line and will result in no new ground disturbance, this application was exempt from review by the Resource Development Coordinating Committee ("RDCC").

The Trust Lands Administration's staff archaeologist has reviewed the proposed project and has determined that the project area has been previously surveyed for cultural resources by Montgomery Archaeological Consultants (U-06-MQ-1695s). No significant sites were identified within the project area, therefore cultural resource clearance has been granted with a finding of "Historic Properties Not Affected".

**EASEMENT NO. 1442 (APPROVAL) (CONTINUED)****EVALUATION OF FACTS:**

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1442 for a term of 30 years beginning November 1, 2008, and expiring October 31, 2038, with the easement fee being \$6,075.52 plus the \$750.00 application fee. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement with the first payment being due on January 1, 2011.

**SPECIAL USE LEASE AGREEMENTS****SPECIAL USE LEASE AGREEMENT NO. 1606 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Questar Pipeline Company  
 180 East 100 South  
 P.O. Box 45360  
 Salt Lake City, Utah 84145-0360

APPLICATION TYPE: INDUSTRIAL

TERMS: 30 years

BEGINNING DATE: December 1, 2008

ENDING DATE: November 30, 2038

NEXT REVIEW DATE: December 1, 2013

FIRST YEAR RENTAL: \$1,000.00

APPLICATION FEE: 250.00

PROCESSING FEE: 700.00

ADVERTISING FEE: 87.00

TOTAL SUBMITTED: \$2,037.00

**LEGAL DESCRIPTION:**

Township 6 South, Range 23 East, SLB&M  
 Section 32: NE¼ (within)

Beginning at a point North 88°38'06" East 1148.06 feet and South 2473.97 feet from the North Quarter Corner of said Section 32, thence South 18°25'22" East 55.00 feet; thence North 71°34'38" East 30.00 feet; thence North 18°25'22" West 30.00 feet; thence South 71°34'38" West 20.00 feet; thence North 18°25'22" West 25.00 feet; thence South 71°34'38" West 10.00 feet to the point of beginning.

Containing 0.026 acres, more or less.

COUNTY: Uintah

ACRES: 0.026

FUND: School

**SPECIAL USE LEASE AGREEMENT NO. 1606 (APPROVAL) (CONTINUED)****PROPOSED ACTION:**

The applicant proposes to construct, operate, and maintain a facility to meter natural gas. Forest Oil Company has requested the applicant to provide measuring and regulating facilities to allow them to transport natural gas to an existing 20" pipeline. The term of the special use lease agreement will be 30 years.

**RELEVANT FACTUAL BACKGROUND:**

The proposed project would consist of a 3-inch meter run located in a 4' x 6' skid mounted meter building, gas sampling, and telemeter equipment and miscellaneous above ground piping. The metering facility would be constructed within the existing 50 foot wide right-of-way Easement No. 13 and will be enclosed within a chain link fence.

The Resource Development Coordinating Committee ("RDCC"), the Uintah Basin Association of Governments and the Uintah County Commission were contacted on September 10, 2008, and the following comments were received:

**Division of Air Quality:**

*"This proposal may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board if any compressor or pump stations are constructed at the site. If a permit is required, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 North 1950 West, Salt Lake City, Utah 84116, for review according to R307-401: Permit: Notice of Intent and Approval Order, of the Utah Air Quality Rules. The guidelines for preparing a NOI are available on-line at:*

<http://www.airquality.utah.gov/Permits/FORMS/NOIGuide8.pdf>

*"In addition, the project is subject to R307-205-5, Fugitive Dust, since the project could have a short-term impact on air quality due to the fugitive dust that could be generated during the excavation and construction phases of the project. An Approval Order is not required solely for the control of fugitive dust, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover, or windbreaks. A copy of the rules may be found at:*

[www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm)"

The lease contains a provision requiring the Lessee to comply with all federal, state, county, and municipal laws, ordinances, and regulations.

An archaeology survey was completed by M. Polk of Sagebrush Consultants, Ogden, UT. State of Utah Antiquities Section Project No. U-05-SJ-0897b,s. Report dated 11/10/2005 and titled, "A CRI for the Houston Exploration North Walker Hollow #2-, 8-, 10-, 12-, 14-, 16-32-6-23 and Associated Pipeline and Access Roads in Uintah County, Utah. The pipeline/access road associated with this survey project was inventoried to a width of 100 ft. (50 ft. on each side of center line) which covers the 50 ft. width included in this project. Therefore, no additional survey is required. No archeological sites were identified with a finding of No Historic Properties Affected for this undertaking.

**EVALUATION OF FACTS:**

Competing applications were solicited pursuant to R850-30-500(2) and no competing applications were received. The lease would have a clause providing for escalation of the annual rental at the end of each five (5)-year period utilizing the Board-approved index.

**SPECIAL USE LEASE AGREEMENT NO. 1606 (APPROVAL) (CONTINUED)**

This action qualifies as an exclusion to the narrative record of decision because it does not warrant the time and expense necessary to complete a full narrative record of decision. Therefore, under the administrative policy on records of decision, this summary will constitute the record of decision. The term of the lease will be 30 years, with a five-year rental review pursuant to R850-30-400.

Upon recommendation of Mr. Kurt Higgins, the Director approved the issuance of SULA 1606 with a beginning base rental of \$1,000.00. The term of the lease will be 30 years, with a five-year rental review pursuant to R850-30-400.

**SPECIAL USE LEASE AGREEMENT NO. 842 (THREE-YEAR REVIEW)**

Special Use Lease Agreement No. 842 is an industrial special use lease agreement, in the name of Pacificorp, dba Rocky Mountain Power, Right of Way Services, 1407 West North Temple, Ste 110, Salt Lake City, UT 84116. San Juan County. School Fund.

**ANNUAL BASE RENTAL:**

The three-year review date for this lease is November 24, 2008. The subject property is used for the purpose of an electrical power substation (Abajo Substation). Based on an analysis of the lease rental pursuant to Board policy, it has been determined that an appraisal is not warranted. Therefore, it is recommended that the annual rental be increased from \$800.00 to \$1,000.00 per year, effective December 1, 2008. A certified notice of the rental increase was sent to the lessee on November 12, 2008. No response was received.

New Annual Base Rental Amount: \$1,000.00

Acres in Lease: 3.75

Rental per Acre: \$266.66

**DUE DILIGENCE AND PROPER USE:**

The development allowed by this lease has occurred. It is recommended that the lease be kept in force. The leased premises are being used in accordance with the lease agreement.

**ADEQUATE BOND COVERAGE:**

The lessee currently has a corporate surety bond on file with Trust Lands Administration.

**ESTABLISHMENT OF WATER RIGHTS:**

There are no water rights owned by the Trust Lands Administration associated with this lease.

**POLLUTION AND SANITATION REGULATIONS:**

The Trust Lands Administration is unaware of any violations of valid sanitation and pollution regulations. There is no evidence of underground storage tanks on the leased premises.

**NEXT THREE-YEAR REVIEW DATE:**

The next assessment will be on December 1, 2011.

Upon recommendation of Mr. Kurt Higgins, the Director approved the three-year review for Special Use Lease Agreement No. 842.

**SPECIAL USE LEASE AGREEMENT NO. 1307 (RECLAMATION BOND)**

Questar Exploration and Production Company, Independence Plaza 1050 17<sup>th</sup> Street, Suite 500, Denver, CO 80265, has submitted Corporate Surety Bond No. 965 009 177 in the amount of \$5,000.00, effective October 28, 2008. The bonding company is Liberty Mutual Insurance Company, 175 Berkeley St., Boston MA 02117. The bond will remain in force and effect until released by Trust Lands Administration. Uintah County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1307.

**SPECIAL USE LEASE AGREEMENT NO'S. 1030, 1040, 1154, 1287, 1308, 1310, AND 1408 (RECLAMATION BOND)**

Questar Pipeline Company, 1140 West 200 South, Salt Lake City, UT 84145-0360, has submitted Corporate Surety Bond No. 965 009 178 in the amount of \$35,000.00 (\$5,000.00 per special use lease), effective October 28, 2008. The bonding company is Liberty Mutual Insurance Company, 175 Berkeley St., Boston, MA 02117. The bond will remain in force and effect until released by Trust Lands Administration. Carbon and Uintah Counties. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director accepted the bond submitted for the above referenced special use lease agreements.

**WATER RIGHTS****WATER RIGHT 69-60 (CERTIFICATE OF BENEFICIAL USE)**

Water Right 69-60 (a25796) is located on the Francisco Spring, also known as the Pitchforth Spring, at the following described location:

Township 25 South, Range 13 West, SLB&M  
Section 36: NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>

The State Engineer has issued a Certificate of Beneficial use for this water right which is the final step in completing its appropriation. The original Certificate is filed in the Title Document Drawer.

*This item was submitted by Mr. Richard Wilcox for record-keeping purposes.*

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## DEVELOPMENT ACTIONS

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### **DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR:

SUBD 12.0 Estates at Hidden Valley Phase 1

This transaction has been executed pursuant to Development Lease DEVL 754.

LEGAL DESCRIPTION: (SUBDIVISION)

Section 18, Township 43.0 S, Range 15.0 W, SLBM

PURCHASER:

IVORY SOUTHERN, LLC  
3143 SOUTH 840 EAST  
SAINT GEORGE, UT 84790

LOT SALE DESCRIPTION:

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 31	26417-12-31	11/05/08	19989-12-31	01/31/07	\$33,500.00	\$100.00	0.15	SCH	18

LIST MINERAL RESERVATIONS:

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

LIST SURFACE RESERVATIONS:

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute; also,

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

*This item was submitted for record-keeping purposes by Andrea L. James.*

**DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR:

SUBD 10.0 Highland Park Phase 1 Subdivision

This transaction has been executed pursuant to Development Lease DEVL 610.

**LEGAL DESCRIPTION: (SUBDIVISION)**

Section 7, Township 42.0 S, Range 14.0 W, SLBM

Section 18, Township 42.0 S, Range 14.0 W, SLBM

**PURCHASER:**

GOLDEN HERITAGE HOMES, INC.

2303 N. Coral Canyon Blvd., Suite 200

SAINT GEORGE, UT 84780

**LOT SALE DESCRIPTION:**

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 266	26377-10-266	11/10/08	19928-10-266	07/07/06	\$14,029.54	\$20.00	0.16	SCH	7

**LIST MINERAL RESERVATIONS:**

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**LIST SURFACE RESERVATIONS:**

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute; also,

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

*This item was submitted for record-keeping purposes by Andrea L. James.*

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**ACTIONS CONTAINING FEE WAIVERS**

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**NONE**



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## TRUST ACCOUNTING ACTIONS

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### CANCELED MINERAL LEASE CONTRACTS

The following mineral leases were not paid on or before the cancellation date of 9/29/2008. Certified notices were mailed.

<u>LEASE #</u>	<u>LESSEE NAME</u>	<u>BENE</u>	<u>COUNTY</u>	<u>TYPE</u>
ML 48229-A	Chevron USA, Inc.	MULT	EMRY	OGH
ML 50948	Handrahan, Steven R.	SCH	MLRD	GS/FS

Upon recommendation of Mr. Gritzmacher, Budget Manager, the Director approved the cancellation of the above-listed mineral leases for non-payment.

### CANCELED MINERAL LEASE CONTRACTS

The following mineral leases were not paid on or before the cancellation date of 10/11/2008. Certified notices were mailed.

<u>LEASE #</u>	<u>LESSEE NAME</u>	<u>BENE</u>	<u>COUNTY</u>	<u>TYPE</u>
ML 47306	Lily A. Balsley	SCH	GRND	OGH
ML 48588	Robert L. Harris	SCH	KANE	GS
ML 49139	W. Glade Berry	SCH	UTAH	MM
ML 50045	Ceja Corporation	SCH	KANE	OGA
ML 50048	Ceja Corporation	SCH	KANE	OGA
ML 50049	Ceja Corporation	SCH	KANE	OGA
ML 50490	John Allen Corley Trust, Jan 11, 2006	SCH	SANJ	MM
ML 50491	John Allen Corley Trust, Jan 11, 2006	SCH	SANJ	MM
ML 51045	Critchfield, Gale	SCH	UTAH	MM
ML 51051	Shupe, Bob J.	SCH	EMRY	MM
ML 51057	Utah Metal Works Inc.	NS	BOX	MM
ML 51059	Hunt, Gregory L.	SCH	GARF	MM
ML 51062	Conn, G. R.	SCH	UINT	MM
		SCH	DUCH	MM

Upon recommendation of Mr. Gritzmacher, Budget Manager, the Director approved the cancellation of the above-listed mineral leases for non-payment.

**CANCELED SPECIAL USE LEASE AGREEMENT**

The following special use lease agreement was not paid on or before the cancellation date of 8/15/2008. A certified notice was mailed.

<u>LEASE #</u>	<u>LESSEE NAME</u>	<u>BENE</u>	<u>COUNTY</u>	<u>TYPE</u>
SULA 1431	Wind River II Corporation	SCH	GRND	RES

Upon recommendation of Mr. Gritzmacher, Budget Manager, the Director approved the cancellation of the above-listed special use lease for non-payment.

**INTEREST RATES**

Following are the current and past year prime rates:

CURRENT YEAR:	4.0%
ONE YEAR AGO:	7.5%